

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-00403-RCL**

NORTHWEST ENVIRONMENTAL ADVOCATES v.
UNITED STATES NATURAL RESOURCES
CONSERVATION OFFICE
Assigned to: Judge Royce C. Lamberth
Case in other court: USCA, 19-05017
Cause: 05:552 Freedom of Information Act

Date Filed: 03/06/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**NORTHWEST ENVIRONMENTAL
ADVOCATES**
an Oregon non-profit corporation

represented by **Paul A. Kampmeier**
KAMPMEIER & KNUTSEN, PLLC
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Seattle, WA 98104
(206) 858-6983
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LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Alan Bahr
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1035 1/2 Monroe Street
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(541) 556-6439
Email: davebahr@mindspring.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES NATURAL
RESOURCES CONSERVATION
SERVICE**
*an agency of the United States of
America, USDA, NRCS, Office of the
Chief*

represented by **Damon William Taaffe**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
Civil Division
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott Leeson Sroka
U.S. ATTORNEY'S OFFICE FOR THE
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TERMINATED: 01/28/2019

| Date Filed | # | Docket Text |
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| 03/06/2017 | <u>1</u> | COMPLAINT against USDA, NRCS, Office of the Chief (Filing fee \$ 400 receipt number 0090-4866900) filed by NORTHWEST ENVIRONMENTAL ADVOCATES,. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for NRCS (Proposed), # <u>3</u> Summons for AG (Proposed), # <u>4</u> Summons for US Atty. (Proposed))(Bahr, David) (Entered: 03/06/2017) |
| 03/06/2017 | | Case Assigned to Judge Royce C. Lamberth. (jd) (Entered: 03/07/2017) |
| 03/07/2017 | <u>2</u> | SUMMONS (3) Issued Electronically as to UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Forms)(jd) (Entered: 03/07/2017) |
| 03/17/2017 | <u>3</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Paul Kampmeier, :Firm- Kampmeier & Knutsen PLLC, :Address- Kampmeier & Knutsen PLLC 615 Second Avenue, Suite 360, Seattle, WA 98104. Phone No. - (206) 223-4088. Fax No. - N/A Filing fee \$ 100, receipt number 0090-4880292. Fee Status: Fee Paid. by NORTHWEST ENVIRONMENTAL ADVOCATES (Attachments: # <u>1</u> Declaration Declaration of Paul Kampmeier, # <u>2</u> Text of Proposed Order Proposed Order Granting PHV)(Bahr, David) (Entered: 03/17/2017) |
| 03/17/2017 | <u>4</u> | AMENDED COMPLAINT against UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE filed by NORTHWEST ENVIRONMENTAL ADVOCATES.(Bahr, David) (Entered: 03/17/2017) |
| 03/17/2017 | <u>5</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NORTHWEST ENVIRONMENTAL ADVOCATES (Bahr, David) (Entered: 03/17/2017) |
| 03/20/2017 | <u>6</u> | NOTICE of Appearance by Damon William Taaffe on behalf of UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE (Taaffe, Damon) (Entered: 03/20/2017) |
| 03/28/2017 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/13/2017. Answer due for ALL FEDERAL DEFENDANTS by 4/12/2017. (Bahr, David) (Entered: 03/28/2017) |
| 03/28/2017 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/13/17. (Bahr, David) (Entered: 03/28/2017) |
| 03/28/2017 | <u>9</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE served on 3/13/2017 (Bahr, David) (Entered: 03/28/2017) |
| 04/07/2017 | <u>10</u> | ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Royce C. Lamberth on 4/6/17. (zlsj) (Entered: 04/07/2017) |
| 04/11/2017 | <u>11</u> | Joint MOTION for Scheduling Order <i>And Extension Of Answer Deadline</i> by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE (Taaffe, Damon) (Entered: 04/11/2017) |
| 04/28/2017 | <u>12</u> | ORDER granting <u>11</u> Motion for Scheduling Order. It is hereby ORDERED that Responsiveness to FOIA Request due by 5/30/2017. Joint Status Report due by 7/7/2017. SEE ORDER FOR FULL DEADLINES. Signed by Judge Royce C. Lamberth on 4/27/17. (lsj) (Entered: 04/28/2017) |
| 07/07/2017 | <u>13</u> | Joint STATUS REPORT by NORTHWEST ENVIRONMENTAL ADVOCATES. (Kampmeier, Paul) (Entered: 07/07/2017) |
| 07/07/2017 | | Minute ORDER granting the parties' request <u>13</u> for an extension of time to submit a proposed case schedule. The parties shall submit a joint status report and proposed case schedule by August 7, 2017. Signed by Judge Royce C. Lamberth on July 7, 2017. (lcrcl3) (Entered: 07/07/2017) |
| 08/07/2017 | <u>14</u> | Joint STATUS REPORT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 08/07/2017) |

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| 09/07/2017 | <u>15</u> | Joint STATUS REPORT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 09/07/2017) |
| 10/06/2017 | <u>16</u> | Joint STATUS REPORT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 10/06/2017) |
| 11/03/2017 | <u>17</u> | Joint STATUS REPORT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 11/03/2017) |
| 12/04/2017 | <u>18</u> | Joint STATUS REPORT by NORTHWEST ENVIRONMENTAL ADVOCATES. (Kampmeier, Paul) (Entered: 12/04/2017) |
| 12/27/2017 | <u>19</u> | ORDER directing parties to file an additional Joint Status Report by 1/12/2018. Signed by Judge Royce C. Lamberth on 12/22/17. (lsj) (Entered: 12/27/2017) |
| 01/12/2018 | <u>20</u> | Joint STATUS REPORT <i>AND PROPOSED CASE SCHEDULE</i> by NORTHWEST ENVIRONMENTAL ADVOCATES. (Kampmeier, Paul) (Entered: 01/12/2018) |
| 01/22/2018 | <u>21</u> | ANSWER to <u>4</u> Amended Complaint by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE.(Taaffe, Damon) (Entered: 01/22/2018) |
| 02/05/2018 | <u>22</u> | SCHEDULING ORDER: Summary Judgment motions due by 2/7/2018. Response to Motion for Summary Judgment due by 3/9/2018. Reply to Motion for Summary Judgment due by 3/30/2018. Reply brief in support of any Cross-Motion for Summary Judgment due by 4/18/2018. Signed by Judge Royce C. Lamberth on 2/2/18. (lsj) (Entered: 02/05/2018) |
| 02/06/2018 | <u>23</u> | Joint STATUS REPORT <i>and Joint Request to Vacate Scheduling Order</i> by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 02/06/2018) |
| 02/06/2018 | 24 | Joint MOTION to Vacate <u>22</u> Scheduling Order, by NORTHWEST ENVIRONMENTAL ADVOCATES, UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (See Docket Entry <u>23</u> to view document). (znmw) (Entered: 02/07/2018) |
| 02/07/2018 | <u>25</u> | ERRATA <i>Signed Motion with Proposed Order</i> by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE 24 MOTION to Vacate <u>22</u> Scheduling Order, filed by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE, NORTHWEST ENVIRONMENTAL ADVOCATES. (Taaffe, Damon) (Entered: 02/07/2018) |
| 03/01/2018 | <u>26</u> | NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 03/01/2018) |
| 03/01/2018 | <u>27</u> | Joint STATUS REPORT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Taaffe, Damon) (Entered: 03/01/2018) |
| 03/09/2018 | <u>28</u> | Joint STATUS REPORT <i>and Request for Briefing Schedule</i> by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Sroka, Scott) (Entered: 03/09/2018) |
| 03/09/2018 | 29 | Joint MOTION for Briefing Schedule by NORTHWEST ENVIRONMENTAL ADVOCATES, UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (See Docket Entry <u>28</u> to view document). (znmw) (Entered: 03/12/2018) |
| 04/23/2018 | <u>30</u> | Joint MOTION for Briefing Schedule by NORTHWEST ENVIRONMENTAL ADVOCATES (Kampmeier, Paul) (Entered: 04/23/2018) |
| 05/04/2018 | <u>31</u> | MOTION for Attorney Fees <i>and Costs</i> by NORTHWEST ENVIRONMENTAL ADVOCATES (Attachments: # <u>1</u> Text of Proposed Order)(Kampmeier, Paul) (Entered: 05/04/2018) |
| 05/04/2018 | <u>32</u> | AFFIDAVIT re <u>31</u> MOTION for Attorney Fees <i>and Costs</i> by Paul Kampmeier by NORTHWEST ENVIRONMENTAL ADVOCATES. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P)(Kampmeier, Paul) (Entered: 05/04/2018) |

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| 05/04/2018 | <u>33</u> | AFFIDAVIT of <i>David Bahr</i> by NORTHWEST ENVIRONMENTAL ADVOCATES. (Attachments: # <u>1</u> Exhibit A)(Kampmeier, Paul) (Entered: 05/04/2018) |
| 05/04/2018 | <u>34</u> | AFFIDAVIT of <i>Nina Bell</i> by NORTHWEST ENVIRONMENTAL ADVOCATES. (Attachments: # <u>1</u> Exhibit A)(Kampmeier, Paul) (Entered: 05/04/2018) |
| 05/04/2018 | <u>35</u> | AFFIDAVIT of <i>Bradley Moss</i> by NORTHWEST ENVIRONMENTAL ADVOCATES. (Kampmeier, Paul) (Entered: 05/04/2018) |
| 05/04/2018 | <u>36</u> | AFFIDAVIT of <i>Richard Smith</i> by NORTHWEST ENVIRONMENTAL ADVOCATES. (Kampmeier, Paul) (Entered: 05/04/2018) |
| 05/07/2018 | | NOTICE OF ERROR re <u>31</u> Motion for Attorney Fees; emailed to paul@kampmeierknutsen.com, cc'd 4 associated attorneys — The PDF file you docketed contained errors: 1. Please do not refile. In the future, Affidavits should be filed with the Motion as attachments. (ztth,) (Entered: 05/07/2018) |
| 05/17/2018 | | MINUTE ORDER granting <u>30</u> Motion for Briefing Schedule. The Court adopts the dates set forth in the proposed briefing schedule. The proposed filing date of Plaintiff's Fee Petition is granted, nunc pro tunc. Signed by Judge Royce C. Lamberth on 5/17/2018. (lcrl3) Modified on 5/17/2018 (zlsj). (Entered: 05/17/2018) |
| 05/21/2018 | <u>37</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>31</u> MOTION for Attorney Fees <i>and Costs</i> by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE (Taaffe, Damon) (Entered: 05/21/2018) |
| 05/24/2018 | <u>38</u> | ORDER granting <u>37</u> Motion for Extension of Time to File Response/Reply to <u>31</u> MOTION for Attorney Fees <i>and Costs</i> . Defendant's opposition due by 6/8/2018 and Plaintiff's reply due by 6/29/2018. Signed by Judge Royce C. Lamberth on 5/23/18. (lsj) (Entered: 05/24/2018) |
| 06/08/2018 | <u>39</u> | Memorandum in opposition to re <u>31</u> MOTION for Attorney Fees <i>and Costs</i> filed by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (Attachments: # <u>1</u> Exhibit A – Fee demand letter, # <u>2</u> Exhibit B – Judicial Watch complaint, # <u>3</u> Exhibit C – McLoughlin Declaration)(Taaffe, Damon) (Entered: 06/08/2018) |
| 06/14/2018 | <u>40</u> | NOTICE OF SUPPLEMENTAL AUTHORITY by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE (Taaffe, Damon) (Entered: 06/14/2018) |
| 06/29/2018 | <u>41</u> | REPLY to opposition to motion re <u>31</u> MOTION for Attorney Fees <i>and Costs</i> filed by NORTHWEST ENVIRONMENTAL ADVOCATES. (Attachments: # <u>1</u> Declaration SECOND DECLARATION OF PAUL KAMPMEIER IN SUPPPORT OF PLAINTIFF'S PETITION FOR COSTS AND ATTORNEYS' FEES, # <u>2</u> Text of Proposed Order REVISED [PROPOSED] ORDER GRANTING PLAINTIFFS MOTION FOR AN AWARD OF COSTS AND ATTORNEYS FEES)(Bahr, David) (Entered: 06/29/2018) |
| 11/19/2018 | <u>42</u> | MEMORANDUM & ORDER granting in part and denying in part <u>31</u> Motion for Attorney Fees. The Court orders defendant to pay plaintiff \$82,469.64. Signed by Judge Royce C. Lamberth on 10/19/2018. (lcrl3) Modified on 11/19/2018 (lsj). (Entered: 11/19/2018) |
| 01/18/2019 | <u>43</u> | NOTICE OF APPEAL TO DC CIRCUIT COURT by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. Fee Status: No Fee Paid. Parties have been notified. (Van Horn, Daniel) (Entered: 01/18/2019) |
| 01/22/2019 | <u>44</u> | Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>43</u> Notice of Appeal to DC Circuit Court. (jf) (Entered: 01/22/2019) |
| 01/28/2019 | <u>45</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. Attorney Scott Leeson Sroka terminated. (Sroka, Scott) (Entered: 01/28/2019) |
| 01/30/2019 | | USCA Case Number 19–5017 for <u>43</u> Notice of Appeal to DC Circuit Court filed by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. (zrdj) (Entered: 01/31/2019) |

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| 02/21/2019 | <u>46</u> | MANDATE of USCA as to <u>43</u> Notice of Appeal to DC Circuit Court filed by UNITED STATES NATURAL RESOURCES CONSERVATION SERVICE. USCA Case Number 19-5017. (Attachment: # <u>1</u> order filed February 21, 2019)(zvt) (Entered: 02/25/2019) |
| 03/05/2019 | <u>47</u> | NOTICE of Change of Address by Paul A. Kampmeier (Kampmeier, Paul) (Entered: 03/05/2019) |